

असाधारव

## EXTRAORDINARY

भाग II—एण्ड 2 PART II—Section 2

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संस्था दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।

Separate naging is given to this Part in order that it may be filed as a separate compilation.

## LOK SABHA

The following Bill was introduced in Lok Sabha on 10th August, 1989:—

BILL No. 61 of 1989

A Bill further to amend the Customs Act, 1962.

BE it enacted by Parliament in the Fortieth Year of the Republic of India as follows:—

1. This Act may be called the Customs (Amendment) Act, 1989.

Short title.

52 of 1962.

2. In section 123 of the Customs Act, 1962 (hereinafter referred to as the principal Act), in sub-section (2), for the words ", diamonds, manufactures of gold or diamonds", the words "and manufactures thereof" shall be substituted.

Amendment of section 123.

3. In section 135 of the principal Act, in sub-section (1), in clause (i), in the proviso, for the words "one year", the words "three years" shall be substituted.

Amendment of section 135. 

## STATEMENT OF OBJECTS AND REASONS

It is proposed to amend the Customs Act, 1962 with a view to giving some relief to small and medium artisans, generally illiterate, engaged in the cutting and polishing of rough diamonds and manufactures of diamonds; and curbing the smuggling of high valued and sensitive items like gold, manufactures of gold, watches, etc. At present, under the provisions of section 123, the burden of proving that the "diamonds" and "manufactures of diamonds" are not smuggled is on the person from whom such goods are recovered. It has been noticed that no seizures of significant nature in relation to these goods have been made in the recent years. Further, "diamonds" and "manufactures of diamonds" have emerged as a major component of our exports earning substantial foreign exchange for the country. Since the provisions of section 123 may cause unnecessary harrassment to the small and medium artisans and in view of the fact that no significant seizures have been made in relation to such goods, it is proposed to omit the said items from the purview of section 123.

- 2. It is also proposed to amend section 135 of the Customs Act, 1962 to increase the quantum of minimum punishment from one year to three years in relation to smuggling of gold, manufactures of gold, watches, etc., so as to curb the smuggling of these items into India.
  - 3. The Bill seeks to achieve the above objects.

New Delhi; The 3rd August, 1989. AJIT KUMAR PANJA.

SUBHASH C. KASHYAP, Secretary-General.